

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

OPENAI, INC.,
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This Document Relates To:

THE NEW YORK TIMES COMPANY v.
MICROSOFT CORPORATION, et al., No. 23-cv-
11195

25-md-3143 (SHS) (OTW)
Hon. Sidney H. Stein

**NOTICE OF OPENAI DEFENDANTS' OBJECTION TO PRESERVATION ORDER AT
MDL ECF 33 PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 72(a)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Declaration of Elana Nightingale Dawson and exhibits annexed thereto, and all pleadings and proceedings referenced therein, Defendants OpenAI, Inc., OpenAI LP, OpenAI GP, LLC, OpenAI, LLC, OpenAI OpCo LLC, OpenAI Global LLC, OAI Corporation, LLC, and OpenAI Holdings, LLC move this Court, before the Honorable Sidney H. Stein in Courtroom 23A of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007, for an order pursuant to Federal Rule of Civil Procedure 72(a) vacating the preservation order at *MDL ECF 33*, and any other further relief as this Court may deem just and proper.

Dated: June 3, 2025

/s/ Elana Nightingale Dawson

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* All parties whose electronic signatures are included herein have consented to the filing of this document, as contemplated by Rule 8.5(b) of the Court's ECF Rules and Instructions.

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